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IN THE U.S. PATENT AND TRADEMARK OFFICE

Inventor Stefan WINTERSPERGER et al
Patent App. 10/668,521
Filed 23 September 2003 Conf. No. 1880
For VECTOR FOR INTEGRATION OF HETEROLOGOUS
 SEQUENCES INTO POXV

Art Unit 1648 Examiner Mosher, M
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TERMINAL DISCLAIMER TO OVERCOME A DOUBLE-PATENTING REJECTION

The undersigned states:

That he is the duly appointed attorney for the inventors
of the above-captioned application;

That 100% ownership of application 10/668,521 has been
assigned to GSF FORSCHUNGSZENTRUM FÜR UMWELT UND GESUNDHEIT GMBH in
an assignment recorded 26 December 2001 under Reel 012477 and Frame
0143.

That the undersigned hereby disclaims the terminal part
of any patent granted on application 10/668,521 which would extend
beyond the expiration date of the full statutory term defined in 35
USC 154-156 and 173, as currently shortened by any terminal
disclaimer, of Patent 6682742 and hereby agrees that any patent so
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and during such period as the legal title thereto shall be the same
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any patent granted on application 10/668,521 and to be binding upon the grantee thereof, its successors, and assigns; and

In making the above disclaimer the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 USC 154-165 and 173 of Patent 6682742, as currently shortened by any terminal disclaimer, in the event that it later either expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term, as currently shortened by any terminal disclaimer.

Respectfully submitted,
The Firm of Karl F. Ross P.C.


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